

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTURO GOMEZ MOLINA,

Defendant.

)
)
)
)
)
)
)
)
)
)

8:05CR339

ORDER

This matter is before the court on defendant's motion to continue trial (Filing No. 32). Defendant intends on filing an affidavit in accordance with paragraph 9 of the progression order whereby defendant consents to the motion and acknowledges that he understands that the additional time may be excludable time for the purposes of the Speedy Trial Act. Defense counsel represents to the court that counsel for the government has no objection to the extension. Upon consideration, the motion will be granted.

IT IS ORDERED that:

1. Defendant's motion to continue trial (Filing No. 32) is granted.
2. Trial in this matter is set for **May 23, 2006** before the Honorable Laurie Smith Camp, or as soon thereafter as it is called by the court.
3. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between **March 29, 2006 and May 23, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, for the reason that counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(i)(iv).

DATED this 29th day of March, 2006.

BY THE COURT:
s/ Laurie Smith Camp
United States District Judge